

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Peter Palese et al.

Serial No.: 09/070,629

Filed: April 30, 1998

For: RECOMBINANT INFLUENZA
VIRUSES EXPRESSING TUMOR-
ASSOCIATED ANTIGENS AS
ANTITUMOR AGENTS



Group Art Unit: 1642

Examiner: Not yet assigned

Attorney Docket No.: 6923-071

RESPONSE TO NOTICE TO FILE MISSING PARTS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the "Notice To File Missing Parts Of Application - Filing Date Granted" dated June 5, 1998, Applicants respectfully submit herewith a combined Declaration And Power Of Attorney with a copy of the Notice.

Applicants invite the U.S. Patent and Trademark Office's attention to the fact that this application claims priority to provisional application serial no. 60/045,176, filed April 30, 1997, which as filed named four inventors: Peter Palese, Adolfo Garcia-Sastre, Nicholas P. Restifo and Steven A. Rosenberg. The above-captioned application as filed was accompanied by an unexecuted Oath and Declaration which named the four same inventors. Upon further investigation, it has come to our attention that Steven A. Rosenberg was incorrectly named as an inventor. This mistake in inventorship arose through an error and is not the result of deceptive intent. Applicants submit herewith an executed Oath and Declaration naming the correct inventors: Peter Palese, Adolfo Garcia-Sastre and Nicholas P. Restifo.

12/11/1998 ZABDALLA 00000025 161150 09070629

01 FC:105 130.00 CH

The fee required for this submission is \$ 130.00, as indicated on the Notice.

Please charge same to Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Date December 7, 1998

Laura A. Coruzzi by: *Jacqueline Brun*

Laura A. Coruzzi 30,742 Reg No.
PENNIE & EDMONDS LLP (Reg. No.) 743,492
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090
Attorneys For Applicants

Enclosures



EXPRESS MAIL NO.: EL 168 275 859 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Peter Palese et al.

Serial No.: 09/070,629

Group Art Unit: 1642

Filed: April 30, 1998

Examiner: Not yet assigned

For: RECOMBINANT INFLUENZA
VIRUSES EXPRESSING TUMOR-
ASSOCIATED ANTIGENS AS
ANTITUMOR AGENTS

Attorney Docket No.: 6923-071

REQUEST FOR CORRECTION OF FILING RECEIPT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed please find the original and one copy of the filing receipt for the above-identified U.S. application.

Applicants respectfully request that the PTO issue a new filing receipt to reflect the names of the correct inventors: Peter Palese, Leonia, NJ, Adolfo Garcia-Sastre, New York, NY, and Nicholas P. Restifo, Washington, D.C. The correct inventors are named in the executed oath and declaration, filed concurrently, and therefore should be correctly listed on the new filing receipt.

Applicants believe no fee should be required, however, should the Patent Office determine otherwise, please charge the necessary fee to Pennie & Edmonds LLP deposit account no. 16-1150. A duplicate of this sheet is enclosed.

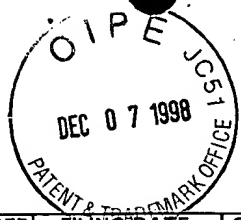
Respectfully submitted,

Date: December 7, 1998

Laura A. Coruzzi by *Jacqueline Benn*
Laura A. Coruzzi 30,742 Reg No
PENNIE & EDMONDS LLP (Reg. No.) P.43,492
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090

Enclosures

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/070,629	04/30/98	1642	\$0.00	6923-071-999	4	75	1

PENNIE & EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK NY 10036-2711

REFERRED TO REC'D JUN 19 1998 Pennie & Edmonds O.K. for filing
--

DIS 7/30/98
FOR 12/30/93
CLX 4/30/99

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

PETER PALESE, LEONIA, NJ; ADOLFO GARCIA-SASTRE,
NEW YORK, NY; STEVEN A. ROSENBERG, BETHESDA, MD.

CONTINUING DATA AS CLAIMED BY APPLICANT-

PROVISIONAL APPLICATION NO. 60/045,176 04/30/97

FOREIGN FILING LICENSE GRANTED 06/02/98

TITLE

RECOMBINANT INFLUENZA VIRUSES EXPRESSING TUMOR-ASSOCIATED ANTIGENS AS
ANTITUMOR AGENTS

PRELIMINARY CLASS: 424